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**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT
ABANDONED FOR FAILURE TO NOTIFY THE OFFICE OF A FOREIGN
OR INTERNATIONAL FILING (37 C.F.R. § 1.137(f))**

First named inventor : Kenneth W. Baun
App. No. : 10/789,815
Filed : February 27, 2004
Title : NIGHT VISION SYSTEM
WITH VIDEO SCREEN
Examiner : Tony Ko

Group Art Unit: 2878

I hereby certify that this correspondence and all marked attachments are being deposited with the United States Postal Service as first-class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on

March 19, 2007
(Date)

Adam Gilbert
Adam Gilbert, Reg. No. 59,967

Attention: Office of Petitions
Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

06/27/2007 SFELEKE1 00000010 10789815

01 FC:2453

750.00 OP

Refund Ref:
06/27/2007 SFELEKE1 0000158032 *M.E.*

CHECK Refund Total: \$750.00

The above-identified application became abandoned pursuant to 35 U.S.C. § 122(b)(2)(B)(iii) for failure to timely notify the Office of the filing of an application in a foreign country or under a multinational international treaty that requires publication of applications eighteen months after filing. The date of abandonment is the day after the expiration date of the forty-five (45) day period set in 35 U.S.C. § 122(b)(2)(B)(iii).

**PURSUANT TO 37 C.F.R. § 1.137(f), APPLICANT HEREBY PETITIONS
FOR REVIVAL OF THIS APPLICATION UNDER 37 C.F.R. § 1.137(b).**

1. Petition fee
(X) Other than small entity - fee \$1,500 (37 C.F.R. § 1.17(m))
2. Notice of Foreign or International Filing (35 U.S.C. § 122(b)(2)(B)(iii) and 37 C.F.R. § 1.213(c))

Subsequent to the filing of the above identified application, an application was filed in another country, or under a multinational international treaty (e.g., filed under the Patent Cooperation Treaty), that requires publication of applications eighteen months after the filing. The filing date of the subsequently filed foreign or international application is December 30, 2004.

3. STATEMENT: The entire delay in filing the required notice of a foreign or international filing from the due date for the required notice until the filing of a grantable petition under 37 C.F.R. § 1.137(b) was unintentional.

03/22/2007 WABDELRI 00000061 10789815

01-FC:1453 1500.00 OP

Adjustment date: 06/27/2007 SFELEKE1
03/22/2007 WABDELRI 00000061 10789815
01 FC:1453 -1500.00 OP

6-13-07

Appl. No. : 10/789,815
Filed : February 27, 2004

Page 1 of 2
Docket No. MIC.025A

Customer No. 20,995

REQUEST FOR REFUND PURSUANT TO 37 C.F.R. § 1.28

Applicant : Kenneth W. Baun
Appl. No. : 10/789,815
Filed : February 27, 2004
Title : NIGHT VISION SYSTEM WITH
VIDEO SCREEN
Examiner : Tony Ko
Group Art Unit : 2878
Confirmation No. : 5653

**CERTIFICATE OF EFS WEB
TRANSMISSION**

I hereby certify that this correspondence, and any other attachment noted on the automated Acknowledgement Receipt, is being transmitted from within the Pacific Time zone to the Commissioner for Patents via the EFS Web server on:

June 13, 2007
(Date)


Adam Gilbert, Reg. No. 59,967

Mail Stop 16
Director, U.S. Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Applicant requests a refund under 37 C.F.R. § 1.28 of a portion of fees timely paid in full prior to establishing status as a small entity in the above-identified application. This request for a refund of the excess amount, itemized below, is being filed within three months of the date of the timely payment of the full fee.

The above-identified application is entitled to small entity status under 37 C.F.R. § 1.27. The following non-small entity fees were timely paid in full, and Applicant requests a refund of one half of the fees paid, as indicated below.

	Paid	Refund
Petition to Revive (37 C.F.R. § 1.17(m))	\$1,500	\$750
TOTAL	\$1,500	\$750

Please credit the refund in the same form in which the original payment was made.

Appl. No. : 10/789,815
Filed : February 27, 2004

Page 2 of 2
Docket No. MIC.025A

Please direct all future correspondence to Customer No. 20,995.

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated: 6/13/07

By: Adam Gilbert

Adam Gilbert
Registration No. 59,967
Attorney of Record
Customer No. 20,995
(949) 760-0404

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Appl. No. : 10/789,815
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Page 1 of 2
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KNOBBE, MARTENS, OLSON & BEAR, LLP

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By: Ada Att

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